

CITY OF SAN DIEGO, CALIFORNIA  
**COUNCIL POLICY**

CURRENT

SUBJECT: UTILITY UNDERGROUNDING PROGRAM - USE OF CASE 8209  
FUNDS FOR CONVERSION WORK ON PRIVATE PROPERTY  
POLICY NO.: 800-02  
EFFECTIVE DATE: September 27, 1999

**BACKGROUND:**

On September 19, 1967, the California Public Utilities Commission (CPUC) issued Decision No. 73078 in Case 8209 requiring that all electric utility companies subject to regulation by the Commission budget funds annually for the undergrounding of overhead lines in public rights-of-way. The work is accomplished by the electric utility company following priorities established by the local agencies within its service area. Owners of the telephone, cable TV, and communication lines are required to follow the lead of the electric utility when such facilities are converted from overhead to underground.

Since the beginning of the program, it has been the responsibility of each property owner to finance 100% of the work that must be done on private property in order to convert to the underground service. This work includes trenching, laying conduit and converting the meter. In recent years, the costs associated with this work have increased to a point where they represent a burden to a growing number of people.

On January 5, 1982, the CPUC revised existing rules to allow the use of 8209 funds for conversion work on private property. The revised order states, "Upon request of the governing body, the Utility will pay for no more than 100 feet of the customer's underground service lateral." The Commission also ruled, "The governing body may establish a smaller footage allowance or may limit the amount of money to be expended on consumer services in a particular project." For purposes of this Policy, the "Utility" is the San Diego Gas & Electric Company (SDG&E), and the "Customer" shall be the property owner.

**PURPOSE:**

To establish a policy providing for the use of Case 8209 funds for conversion of electric service laterals on private property within the City of San Diego. Electric service lateral shall mean trench, backfill, and any necessary conduit from the customer's property line to the underground sweep at the base of the customer's termination facility. In those cases where the service conduit enters the customer's building, the service lateral will terminate at that point.

**POLICY:**

It is the policy of the City Council to use Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Reimbursements for the service conversions shall consist of the full (100 percent) cost of the trenching and electrical conduit within the trench, as certified by a signed statement but not to exceed thirty-five dollars per linear foot (\$35/LF) for the required length of trenching on the property up to a maximum of 100 feet. Residential service laterals will be reimbursed up

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to \$1,000 for panel conversions. Commercial service laterals will be reimbursed up to \$1500 for panel conversions where financial hardship can be demonstrated. Subject to CPUC approval, these costs will be taken from the 20A fund.

**IMPLEMENTATION:**

1. Within 30 days of the established Customer Ready date for an underground conversion district by the City Council, the City shall inform SDG&E in writing as to the amount of Case 8209 funds required for work on private property within the district.
2. Within 30 days of the receipt of the City's written notice, SDG&E shall deposit the requested funds with the City Treasurer.
3. The City shall pay the appropriate amount of reimbursement due each owner when:
  - a. The customer has satisfactorily completed his electric service lateral conversion.
  - b. The electric metering equipment has passed inspection by the City Building Official certifying it ready to receive underground service.
  - c. The customer has submitted to the City a signed statement certifying to the cost of the electric service lateral conversion work on the property. Only the cost of conversion work relating to trenching and conduit is eligible for reimbursement. Copies of contractor's invoice pertaining to the work performed shall be attached to the signed statement.
4. Within 30 days after SDG&E's written notice to the City that all electric service conversions within the district have been completed, the City Treasurer shall refund to SDG&E any monies not disbursed to the customers.
5. Beginning in 1986, this policy shall be reviewed by the City Council each year during the month of October and, if necessary, amended or revised for the allocation year beginning on the following January 1.

**HISTORY:**

"Improvements To Cover An Entire Block"

Adopted by Resolution R-169956 03/15/1962

Amended by Resolution R-212106 11/27/1974

Rescinded by Resolution R-258118 03/21/1983

"Utility Undergrounding Program - Use of Case 8209 Funds For Conversion Work On Private Property"

Added by Resolution R-263752 07/29/1985

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Amended by Resolution R-265167 03/03/1986

Amended by Resolution R-292224 09/27/1999